

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 20-61 are pending in this application.

Rejection Under 35 U.S.C. §112:

Claim 40 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claim 40 has been editorially amended to require “~~The~~ A method.” Applicant thus respectfully requests that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejections Under 35 U.S.C. §102 and §103:

Claims 20-26, 30-31, 40-42, 48-49, 51, 53 and 57-60 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Yates et al (U.S. ‘586, hereinafter “Yates”). Applicant respectfully traverses this rejection.

Independent claim 20 and its dependents require, *inter alia*, “for each type of said differing types of service, said session manager is arranged during a service session in which a plurality of participants participate, to generate an event message in response to a change of a session-related status of an individual participant in the session, wherein a service-session event handler receives **a logically uncombined event transmitted in an event message generated in response to each change in the session-related status of at least some of said plurality of participants without any historical data** (emphasis added).”

Independent claims 42 and 49 require similar (but not necessarily identical) limitations. Independent claim 40 requires, *inter alia*, “generating a plurality of event messages during a service session in which a plurality of participants participate, each said event message being generated in response to a logically uncombined event indicating a discrete change in the session-related status of an individual participant of the plurality of participants, the events indicating each discrete change in the session-related status of at least some of the plurality of participants in the service session; and, **without logically combining the events indicating discrete changes** detailed in said event messages, transmitting said event messages to the event handler for processing (emphasis added).”

The above noted limitations of independent claims 20, 40, 42 and 49 are supported by, for example, page 18, line 12 to page 20 of the specification which states the following:

“It is a characteristic of the event messages transmitted to the event handler 31 that **the events detailed in the event messages contain no history data. In other words, the events are not logically combined**, and each message concerns only an instantaneous event which has just occurred in the session. **This is to be compared with other known ways of generating events, which generally include calculating a duration, by referring to historical usage start date/time on receiving a usage stop date/time**. By the events transmitted to the event handler not being logically combined, the flexibility of processing which may be subsequently applied to the events is maintained at a high level (emphasis added).”

Related description can be found, for example, on page 2, lines 6-13 which states the following:

“In this regard, chargeable events, other than subscription-type events, have in the past been generated not as a record of an instantaneous event, but as what as may be referred to as a ‘combined’ event, generated when instantaneous events are logically combined. For example, in conventional telephony, a chargeable event is recorded in a call record, which specifies the duration of the call by means of both a start time and an end time. In this sense, the chargeable event recorded in the call record is a ‘combined’ event, consisting of data specifying more than one instantaneous event (emphasis added).”

The above portions of the specification therefore distinguish between a logically uncombined event having no historical data and a “combined event” having data specifying more than one instantaneous event. A specific example of a “combined event” is a call record or duration specified by a usage stop (or end) date/time as well as a historical usage start date/time.

Col. 11, lines 38-45 (specifically identified by the Office Action) of Yates makes reference to a “temporal period.” The wording “period” described in this portion of Yates implies at least a start date/time and a stop date/time. That is, a period of time must be indicated. Accordingly, the “temporal period” disclosed in Yates is a combined event which makes reference to historical data, not a logically uncombined event having no historical data. Similar to the combined event described in the above quoted portions of the originally-filed specification, the “temporal period” disclosed in Yates makes reference to a stop date/time and to a historical start date/time and thus forms a combined event.

Each event message in Yates is not capable of being adapted to indicate just a start

or just an end. That is, the event messages refer to periods of time -- thus requiring both a start and a stop to define the period of time per event message. Each event message in Yates therefore refers to a historical discrete change (e.g., the date/time of the session start) as well as the change triggering the event message (the end of the period). Two date/time stamps are therefore required in Yates to define the period -- one date/time stamp indicating the start and the other date/time stamp indicating the stop. The temporal period disclosed in Yates therefore makes reference to a combined event having historical data, rather than a logically uncombined event without any historical data. The present invention does not require a grouping together of a historical start and later stop date/time to define a “duration” or “temporal period.” Each event message may, for example, simply record either (only) a start or a stop date/time as a single discrete event.

Through the logically uncombined events without history data, the flexibility of processing which may be subsequently applied to the events is maintained at a high level. (See page 18, lines 18-20 of the specification). For example, if there is suddenly more participants in a service session, the price per session participant at that specific instant can be reduced. This benefit would not be possible in Yates since each participant would generate a start and stop message only, and dynamically registering session related events would not be possible. That is, it would be possible to adjust for the proportion of time per user only after the last user had left the session (which would then allow a “temporal period” to be recorded in an event message) in Yates. This is not necessary in the present invention. Similarly, if a user wanted to suddenly upgrade their session features mid-

session, then the present invention enables this to generate an event message. There is no need for the session itself to be terminated in favor of a newly started session having these new features.

Accordingly, Applicant thus respectfully submits that claims 20-26, 30-31, 40-42, 48-49, 51, 53 and 57-60 are not anticipated by Yates and respectfully requests that the rejection of these claims under 35 U.S.C. §102(e) be withdrawn.

Claims 32-39, 50, 55-56 and 61 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by “TINA Consortium - Network Resource Architecture Version 3.0” (hereinafter “TINA”). Applicant respectfully traverses this rejection.

Independent claims 32, 34, 36 and 50 and their respective dependents require, *inter alia*, logically uncombined events each indicating a discrete change in a session related status of an individual participant in a session without any historical data. Like Yates discussed above, TINA fails to teach or suggest these limitations.

Accordingly, Applicant submits that claims 32-39, 50, 55-56 and 61 are not anticipated by TINA and respectfully requests that the rejection of these claims under 35 U.S.C. §102 be withdrawn.

Claims 27, 28, 43 and 44 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Yates in view of Lynch-Aired (U.S. ‘402). Claims 29 and 45 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Yates in view of Ginzboorg et al (U.S. ‘051, hereinafter “Ginzboorg”). Claim 47, 52 and 54 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Yates in view of TINA. None

ELLIS et al.
Application No. 09/674,073
July 14, 2005

of Lynch-Aired, Ginzboorg and/or TINA remedy the above described deficiencies of Yates. Accordingly, even if these references were combined with Yates as proposed by the Office Action, the combination would not have rendered the claimed invention obvious. Accordingly, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. §103.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Raymond Y. Mah
Reg. No. 41,426

RYM:sl
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4044
Facsimile: (703) 816-4100